

JASON M. FRIERSON  
United States Attorney  
District of Nevada  
Nevada Bar No. 7709  
VIRGINIA T. TOMOVA  
Assistant United States Attorney  
Nevada Bar Number 12504  
501 Las Vegas Blvd. So., Suite 1100  
Las Vegas, Nevada 89101  
(702) 388-6336  
[Virginia.Tomova@usdoj.gov](mailto:Virginia.Tomova@usdoj.gov)

*Attorneys for Federal Defendants*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CONSTANTIN DENIS MIHAI and  
ARNOLD NAPOLES,

Plaintiffs,

v.

ALEJANDRO MAYORKAS, in his official  
capacity as Secretary of Homeland Security,  
U.S. DEPARTMENT OF HOMELAND  
SECURITY, UR M. JADDOU, in her  
official capacity as Acting Director of U.S.  
Citizenship and Immigration Services, U.S.  
CITIZENSHIP AND IMMIGRATION  
SERVICES, the UNITED STATES OF  
AMERICA and JOHN DOES I through  
XX, inclusive,

Defendants.

Case No. 2:23-cv-01127-JAD-DJA

**Stipulation and Order for Extension of  
Time**

**(Fifth Request)**

Plaintiffs Constantin Denis Mihai and Arnold Napoles, and Defendants Alejandro Mayorkas, Secretary of Homeland Security, U.S. Department of Homeland Security; Ur M. Jaddou, Acting Director of U.S. Citizenship and Immigration Services; U.S. Citizenship and Immigration Services; and the United States of America ("Federal Defendants"), hereby stipulate and agree as follows:

Plaintiffs filed their Complaint on July 19, 2023.

Plaintiffs served Federal Defendants with a copy of the Summons and Complaint via Certified Mail on August 4, 2023.

1 The current deadline for Federal Defendants to respond to the Plaintiffs' Complaint  
2 is on July 31, 2024.

3 Plaintiffs and Federal Defendants, through undersigned counsel, stipulate and  
4 request that the Court approve a 90-day extension of time, from July 31, 2024, to October  
5 29, 2024, for Federal Defendants to file a response to the Complaint, ECF No. 1. This is  
6 the fifth request for an extension of time.

7 Since the filing of the fourth request for extension, Plaintiffs filed an I-601 waiver in  
8 response to the agency's notice of intent to deny their I-485 petition. The additional 90 days  
9 are necessary for the agency to evaluate and adjudicate Plaintiffs' I-601 waiver before  
10 issuing a final decision on the I-485 petition, which is the subject of the Plaintiff's case.

11 Therefore, the parties request that the Court extend the deadline for Federal  
12 Defendants to answer or otherwise respond to October 29, 2024.

13 This stipulated request is filed in good faith and not for the purposes of undue delay.

14 Respectfully submitted this 1st day of July 2024.

15 REZA ATHARI, MILLS & FINK, PLLC

JASON M. FRIERSON  
United States Attorney

17 /s/ Gary Fink, Esq.

18 GARY FINK, ESQ.  
19 Nevada Bar No. 8064  
3365 Pepper Lane, Suite #102  
Las Vegas, Nevada 89120  
20 *Attorney for Plaintiffs*

/s/ Virginia T. Tomova

VIRGINIA T. TOMOVA  
Assistant United States Attorney  
Nevada Bar Number 12504  
501 Las Vegas Blvd. So., Suite 1100  
Las Vegas, Nevada 89101

21 **IT IS SO ORDERED:**

22 

23 **UNITED STATES MAGISTRATE JUDGE**

24 **DATED:** 7/2/2024